

BILL NO. Z-74-02- 27

ZONING MAP ORDINANCE NO. Z- West

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. GG2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT

SECTION 1. That the area described as follows is hereby designated

WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. GG2, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the Southwest quarter of Section 8, Township 30 North, Range 12 East in Allen County, Indiana, specifically described as follows commencing at the Southwest corner of Lot Number 21 in Summit Place Addition, thence East along the South line of said Summit Place Addition a distance of 152.3 feet to a point, thence South a distance of 185.4 feet to a point on the North right of way of U.S. Highway #24, thence Southwesterly along said right of way distance of 135 feet to a point, thence North 62 degrees 24 minutes West a distance of 50 feet to a point on the East right of way of the Reckeweg Road, thence North along said East right of way a distance of 232 feet to the point of beginning, containing 0.825 acres, more or less

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Councilman

APPROVED AS TO FORM
AND LEGALITY
Mid B. C.
SAY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 2/26/74

John W. Talarico
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

AYES 1, NAYS 5, ABSTAINED 0, ABSENT 3 to-wit:

BURNS	_____	✓	_____	_____
HINGA	_____	✓	_____	_____
KRAUS	_____	✓	_____	_____
MOSES	_____	✓	_____	_____
NUCKOLS	_____	_____	_____	A
SCHMIDT, D.	_____	✓	_____	_____
SCHMIDT, V.	_____	✓	_____	_____
STIER	_____	_____	_____	A
TALARICO	_____	_____	_____	A

DATE: August 13, 1974

John W. Talarico
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 197____.

ATTEST: (SEAL)

CITY CLERK

Eugene Kraus
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 26, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-02-27; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 13, 1974, and petitioners were not present to present this ordinance; and,

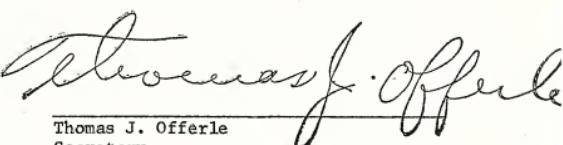
WHEREAS, upon notification of petitioners, no response was received;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 17, 1974.

Certified and signed this
26th day of June, 1974.



Thomas J. Offerle
Secretary

Hoist
*RECEIVED
CHARLES W. WESTERMAN, CITY CLERK*

Bill No. Z-74-02-27

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. GG2.

[14 blank lines]

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Do Not PASS.

John Nuckles - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

Vivian G. Schmidt
Donald J. Schmidt
Paul M. Burns

CONCURRED IN

DATE 1/22/74 CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

Nº 253

GENERAL FUND

FT. WAYNE, IND.

Jan 21 1974

RECEIVED FROM

Rodney Shirk \$ 50.00

THE SUM OF

Fifty Dollars $\frac{00}{100}$ DOLLARS

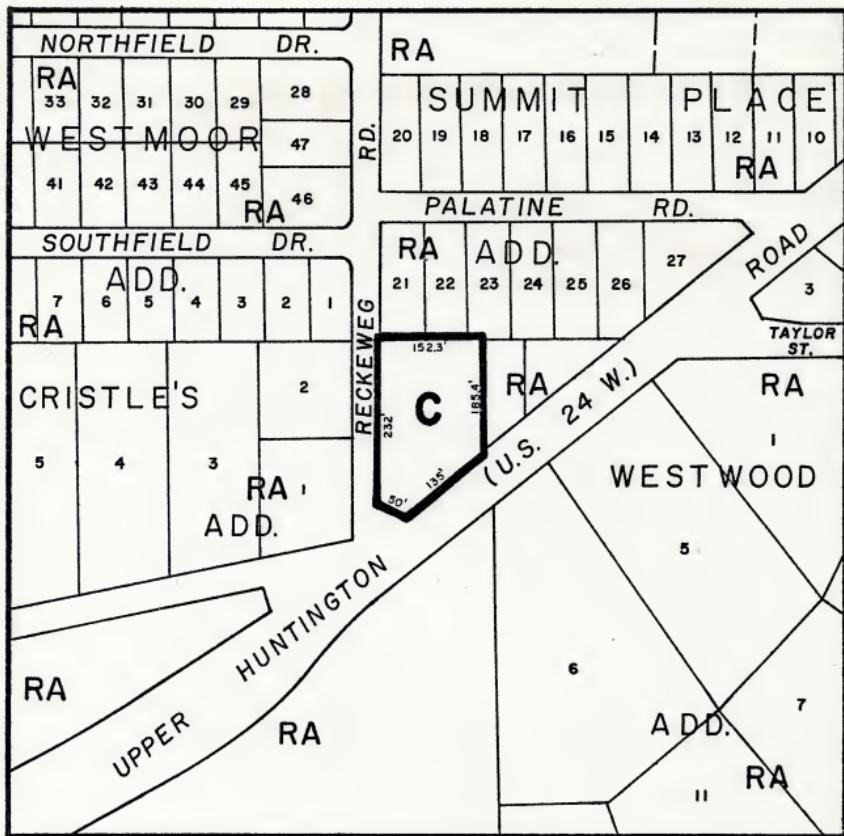
ON ACCOUNT OF

1203 thru 2221

Reckeweg Rd. and U. S. 24

Velma Freeze

AUTHORIZED SIGNATURE



C CHANGE FROM RA TO R3

N

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/We Merle R. Elrman Rodney Shirk
(Applicant's Name or Names)do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an RA district to a/an R3 district the property described as follows:

Part of the Southwest quarter of Section 8, jTownship 30 North, Range 12 East in Allen County, Indiana, specifically described as follows commencing at the Southwest corner of Lot Numbered 21 in Summit Place Addition, thence East along the South line of said Summit Placed Addition a distance of 152.3 feet to a point, thence South a distance of 185.4 feet to a point on the North right of way of U. S. Highway #24, thence Southwesterly along said right of way distance of 135 feet to a point, thence North 62 degrees 24 minutes West a distance of 50 feet to a point on the East right of way of the Redkeweg Road, thence North along said East right of way a distance (Legal description) the point of beginning, containing 0.825 acres, more or less. DEED BOOK-718 PAGE-598-599

transfer date: 1-2-69

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Merle R. Elrman2828 Kentucky Av.Merle R. ElrmanRodney Shirk6130 Illinois Rd.Rodney Shirk

(Name)

(Address)

(Signature)

Legal Description Checked By: _____

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Rodney Shirk

(Name)

6130 Illinois Rd.

(Address)

432-2390

(Telephone Number)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802 Telephone Number: 423-7571



City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To Gary Baeten - City Plan Date 7-19-74
From Charles W. Westerman - City Clerk
Subject Appearance before Common Council - July 23, 1974

COPIES TO:

RE: BILL NO. Z-74-02-27

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. GG2

Your presence is requested on July 23, 1974, at 7:00 o'clock
P.M., Room 124, by the members of the Common Council and John
Nuckles, Chairman of the Standing Committee of Regulations, in
regard to Bill No. Z-74-02-27.

It is also requested that you bring along any materials or in-
formation that you may have which will help the Council in its
decision regarding the above bill.

Charlie



City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To Gary Baeten - City Plan Date 7-29-74
From Charles W. Westerman - City Clerk
Subject Appearance before Common Council - July 30, 1974

COPIES TO:

RE: BILL NO. Z-74-02-27

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. GG2

Your presence is requested on July 30, 1974, at 7:30 o'clock P.M., Room 124, by the members of the Common Council and John Nuckles, Chairman of the Standing Committee of Regulations, in regard to Bill No. Z-74-02-27.

It is also requested that you bring along any materials or information that you may have which will help the Council in its decision regarding the above bill.

Charlie

(35)

PETITION OF PROPERTY OWNERS IN PROTEST
OF ZONING AMENDMENT Z-74-02-27

We, the following property owners, are opposed to the proposed to re-zone part of Lot #21 Summit Place Addition located on the Northeast corner of Reckeweg Road and Upper Huntington Road (U.S. #24) from an RA District - Suburban Residential to an R-3 District.

The reasons for our objection are the same as they were when the Zoning Board turned down a similar petition for re-zoning several years ago. First, there would not be adequate parking on the property itself. The front of the property has a large easement along U.S. 24 on which parking would not be permitted. Secondly, there is no parking permitted along Reckeweg Road and, consequently, there would not be sufficient parking for this land to be zoned anything other than Residential. Lastly, we desire this to remain a residential neighborhood and not have property values lowered by spot zoning of one piece of property.

PROPERTY OWNER

ADDRESS

Charles L. Edris	4821 Palatine Dr. Ft. Wayne IN
Shawn E. Edris	4821 Palatine Dr. Ft. Wayne, Ind.
Mr & Mrs. Rick Fawcett	4811 Palatine Dr. " " "
Mr & Mrs. Tom Fawcett	4724 U.S. 24 West
Mr & Mrs. Pat Landregan	4733 Palatine Dr. Ft. Wayne Ind.
Mr. Richard Eichrich	4808 Palatine Dr. " "
Forest W. Conner	4820 Palatine Dr. Ft. Wayne Ind.
William J. Kappel	4824 Palatine Dr. Ft. Wayne Ind.
Mary Jane Kappel	4824 Palatine Dr. Ft. Wayne Ind.
Dorothy Sadler	4832 Palatine Dr. Ft. Wayne Ind.
Opal C. Sadler	4832 Palatine Dr. Ft. Wayne
Neal W. Shady	4831 Palatine Dr. Ft. Wayne
Frank G. Shady	2136 North Bend Dr. Ft. Wayne
Tom Surles	4920 N. Bend Dr.
C. M. L. Seeger	4932 N. Bend Dr.
Janet J. Seeger	4932 N. Bend Dr.
Eliard Owens	5010 N. Bend Dr.
George W. Owens	5010 North Bend Drive
Elizabeth S. Shultz	5022 North Bend Drive
John R. Shultz	5022 North Bend Drive
Albert Presley	5120 NORTH BEND DR.

RECEIVED
MAY 10 1974
FOR THE WAYNE CITY
PLAN COMMISSION

(35)

PROPERTY OWNERADDRESS

Mr Paul W. Fairfolk
Marianne J. Boyce
Donald H. George
H. L. Fortinette
Alice C. Fortinette
Don C. Kortepeter
Donald M. Kortepeter
Mary Ann Bonen
Bretton J. Bonen
Paul Lappner
Doris Parker
Theresa L. Huttell
Hilton Huttell
C. Irene Huguenard
Joseph C. Huguenard Sr.

5128 North Park Dr
4827 Palatine Drive
4827 Palatine Drive
4910 N. Bend Dr
4910 North Bend Dr.
4815 Palatine Dr.
4815 Palatine Dr.
2212 Reckweg Rd.
2212 Reckweg Rd.
2122 Reckweg Rd.
5009 Southfield Dr.
5017 Southfield Drive
5017 Southfield Dr.
5018 Southfield Dr.
5018 Southfield Dr.

DIGEST SHEET

Zoning Map Amendment Ordinance

3-74-02-27

TITLE OF ORDINANCE

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE Preparation of a zoning map amendment ordinance

Petition initiated by property owners to rezone property located as follows:

A parcel of ground containing 4/5 of an acre, more or less, generally located on the northeast corner of Reckeweg Rd. and U. S. # 24 (Upper Huntington Road)

EFFECT OF PASSAGE Property is presently zoned "RA" - Suburban residential.

Petitioners are requesting an "R3" Zone, which is multiple family also, but does permit offices and studios by the approval of the Board of Zoning Appeals.

EFFECT OF NON-PASSAGE Property would remain suburban residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.)

Regulations